

93 F. 12
B



PATENT
ATTORNEY DOCKET NO. 46884-5449

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Katsumi SHIBAYAMA) Confirmation No.: 9241
)
Application No.: 10/565,282) Group Art Unit: 2815
)
Filed: August 14, 2006) Examiner: Matthew E. Warren
)
For: BACKSIDE-ILLUMINATED)
PHOTODETECTOR)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Issue Fee
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(d)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement ("IDS") is being filed after the events recited in § 1.97(c) but before the payment of the issue fee for the above-identified application. Under the provisions of 37 C.F.R. § 1.97(d), a fee of \$180.00, as specified by § 1.17(p) is attached hereto.

Each of the documents listed on the attached PTO-1449 was first cited in a Chinese Office Action issued by the Chinese Patent Office on April 4, 2008 in a counterpart foreign application. Hence, to the best of the undersigned's knowledge and recollection, each of these documents listed on the attached PTO-1449 of this IDS was first cited in a communication from

05/14/2008 DE MHANU1 00000012 10565282

01 FC:1806

180.00 0P

a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. A copy of the Chinese Office Action dated April 4, 2008 is enclosed for the Examiner's consideration.

As for relevance of the foreign language documents, English-language abstracts are attached hereto for the foreign language documents. In addition, the relevance of these foreign language documents can be understood from their citations in the above-discussed Chinese Office Action dated April 4, 2008.

Copies of the listed non-U.S. documents are attached.

Applicant respectfully requests that the Examiner consider all of the listed documents and evidence that consideration by making appropriate notations on the attached PTO-1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art". If it should be determined that any of the listed documents do not constitute "Prior Art" under the United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over any of the listed documents, should the documents be applied against the claims of the present application.

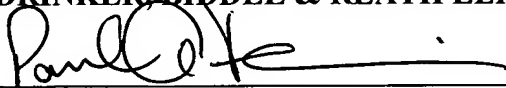
EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.13(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: May 12, 2008

By:



Paul A. Fournier

Registration No. 41,023

Customer No. 055694

DRINKER, BIDDLE & REATH LLP

1500 K Street, N.W., Suite 1100

Washington, D.C. 20005-1209

Tel: (202) 842-8800

Fax: (202) 842-8465